

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent application of:

Applicant(s): Martin Brady et al.  
Application No.: 10/753,979  
Filed: January 8, 2004  
Title: HOLLOW STYLET FOR INFUSION CATHETER SYSTEMS,  
DEVICES, AND METHOD  
  
Examiner: Laura C. Schell  
Art Unit: 3767  
Docket Number: SCHWP0211USA

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT  
BASED ON FAILURE TO RECEIVE OFFICE ACTION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The undersigned attorney of record was recently contacted by the Examiner inquiring as to whether or not a reply had been filed to the Office Action dated October 2, 2006. Upon examination of the undersigned's file, it was discovered that said Office Action had never been received by the undersigned. The undersigned has downloaded a copy of the Office Action and discovered that it had been mailed to the law firm of Schwegman, Lundberg, Woessner & Kluth, P.A., notwithstanding the Power of Attorney submitted on December 8, 2005, a copy of which is attached. The undersigned does not know if the Schwegman firm received a copy of the Office Action. Nevertheless, the Office Action was never received by the undersigned and thus the undersigned was unaware of the Office Action and the deadline for responding to same.

The undersigned hereby reiterates that the Office Action was not received by him and that a search of the file jacket and docket records indicates that the Office Action was not received. Attached is a copy of a docket report showing the deadlines

docketed for the subject application. If the Office Action had been received and docketed, the deadline would appear on the docket report.

In view of the foregoing, withdrawal of the holding of abandonment and re-setting of the period for response to the Office Action is respectfully requested.

The Commissioner is hereby authorized to charge any fee associated with this communication to Deposit Account No. 18-0988 under the above shown docket number.

Respectfully submitted,

RENNER, OTTO, BOISSELLE & SKLAR, LLP

/Don W. Bulson/

By \_\_\_\_\_  
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FOBS#	SCHWP0211USA								PRINTED ON:	02/15/2007
country	US	UNITED STATES		TITLE					PRIOR	01/08/2004
NEW/CON	FCA	SERIAL#	10/753,979	HOLLOW STYLET FOR INFUSION CATHETER SYSTEMS, DEVICES, AND METHODS					MAIL	
RELATED	SCHWP0211US	PATENT#							FILE	01/08/2004
TYPE	UTL	STATUS	PENDING						PUBL	
CLIENT	SCHW	SCHWABE, SANDMAIR, MARX		1	CREF	49 009XV			ISSUE	
AGENT					AREF				1ST	01/08/2004
									EXP	01/08/2024

ID	C	ACTION	BASE	DUE IN	DUe	EXTNS	FINAL	EXT	RESPONSE	CALL UP	1	2	P
RE	N	RESPONSE TO OA	01/27/2006	3 M	04/27/2006	3 1	07/27/2006	2	05/30/2006	1M	Y	Y	Y
	N	RE STATUS CHECK	05/30/2006	4 M	09/30/2006	1 6	03/30/2007	1		0 M	Y	Y	Y

FILED RESP 5/30/06 DLINE 4/27/06

#### ASSIGNEES

BRAINLAB AG

#### PRIOR APPLICATIONS

REFERENCE#	CNTRY	SERIAL#	FILED	TITLE / DESCRIPTION		TYPE
SCHWP0211US	US	60/439,728	01/13/2003	HOLLOW STYLET INFUSION CATHETER SYSTEMS, APPL DEVICES AND METHODS		

#### USER-DEFINABLE FIELDS

#### PATENT FIELDS

PRIOR	SMALL ENTITY	ART UNIT
APP	CLAIMS	EXAMINER
TYPE	PUBLICATION#	CONFIRM#

#13790US01 ENTERED 06/22/2004 MODIFIED 01/04/2007 9 BY BA ATTORNEYS DWB / N/A / N/A

NOTES

TRANSFERRED TO ROBS 6/22/04